

(JPRx),CLOSED,DISCOVERY,MANADR

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Western Division – Los Angeles)
CIVIL DOCKET FOR CASE #: 2:19-cv-03610-PA-JPR**

Oliver B Mitchell III v. Octapharma AG et al
Assigned to: Judge Percy Anderson
Referred to: Magistrate Judge Jean P. Rosenbluth
Cause: 05:552 Freedom of Information Act

Date Filed: 04/30/2019
Date Terminated: 05/16/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Plaintiff**Oliver B Mitchell, III**

represented by **Oliver B Mitchell, III**
P O Box 1705
Long Beach, CA 90801
562-719-3872
PRO SE

V.

Defendant**Octapharma AG****Defendant**

**Stafford, Owens, Piller, Murane,
Kelleher and Trombley, PLLC**

Date Filed	#	Docket Text
04/30/2019	<u>1</u>	COMPLAINT against Defendants Octapharma AG, Stafford, Owens, Piller, Murane, Kelleher and Trombley, PLLC. Case assigned to Judge Percy Anderson for all further proceedings. Discovery referred to Magistrate Judge Jean P. Rosenbluth, filed by plaintiff Oliver B Mitchell, III. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> 30 Days Summon not issue). (jp) (Entered: 05/02/2019)
04/30/2019	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Plaintiff Oliver B Mitchell, III. (jp) (Entered: 05/02/2019)
04/30/2019	<u>3</u>	REQUEST to Proceed In Forma Pauperis With Declaration in Support filed by plaintiff Oliver B Mitchell, III. (jp) (Entered: 05/02/2019)
04/30/2019	<u>4</u>	NOTICE OF ASSIGNMENT to District Judge Percy Anderson and Magistrate Judge Jean P. Rosenbluth. (jp) (Entered: 05/02/2019)
04/30/2019	<u>5</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (jp) (Entered: 05/02/2019)
05/03/2019	<u>6</u>	ORDER by Magistrate Judge Jean P. Rosenbluth: granting <u>3</u> REQUEST to Proceed in Forma Pauperis with Declaration in Support (CV-60). (sbou) (Entered: 05/03/2019)
05/03/2019	<u>7</u>	STANDING ORDER by Judge Percy Anderson. READ THIS ORDER CAREFULLY. IT CONTROLS THE CASE AND DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES. (mrgo) (Entered: 05/03/2019)
05/03/2019	<u>8</u>	SELF-REPRESENTATION ORDER by Judge Percy Anderson. (See document for details) (mrgo) (Entered: 05/03/2019)
05/03/2019	<u>9</u>	MINUTE ORDER IN CHAMBERS – COURT ORDER by Judge Percy Anderson. Because Plaintiff has brought FOIA claims against Octapharma and Stafford Owens, neither of which appears to be an "agency" for purposes of FOIA, this action appears to be "frivolous" for purposes of 28 U.S.C. § 1915(e)(2). The Court therefore orders Plaintiff to show cause in writing why: (1) his permission to proceed in forma pauperis

		should not be revoked and why he should not be required to pay the full filing fee before being allowed to continue to pursue this action; and (2) why this action should not be dismissed as frivolous. Plaintiff's response to this Order to Show Cause shall be filed no later than May 20, 2019. (mrgo) (Entered: 05/06/2019)
05/03/2019	<u>10</u>	30 DAY Summons Issued re Complaint – (Discovery), <u>1</u> as to Defendants Octapharma AG, Stafford, Owens, Piller, Murane, Kelleher and Trombley, PLLC. (sbou) (Entered: 05/06/2019)
05/15/2019	<u>11</u>	RESPONSE TO ORDER TO SHOW CAUSE filed by Plaintiff Oliver B Mitchell, III re Minutes of In Chambers Order/Directive – no proceeding held, Set/Reset Deadlines, <u>2</u> . (mrgo) (Entered: 05/16/2019)
05/15/2019	<u>12</u>	PROOF OF SERVICE filed by plaintiff Oliver B Mitchell, III, re Response <u>11</u> served on 5/14/2019. (mrgo) (Entered: 05/16/2019)
05/16/2019	<u>13</u>	MINUTE ORDER IN CHAMBERS – COURT ORDER by Judge Percy Anderson. For all of these reasons, the Court concludes that Plaintiff's Complaint is frivolous and fails to state a claim. Plaintiff's Complaint is therefore subject to dismissal pursuant to 28 U.S.C. § 1915(e). Plaintiff has failed to indicate how he could amend his Complaint to state a viable federal claim against Octapharma or Stafford Owens. The Court therefore concludes that leave to amend would be futile and dismisses this Complaint without leave to amend. The Court has not considered what, if any, remedies Plaintiff may possess under state law in state court. The Court therefore dismisses this action without prejudice. The Court will issue a Judgment of Dismissal consistent with this Order. (mrgo) (Entered: 05/16/2019)
05/16/2019	<u>14</u>	JUDGMENT OF DISMISSAL by Judge Percy Anderson, Related to: Minutes of In Chambers Order/Directive – no proceeding held, <u>13</u> . IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the action filed by Plaintiff is dismissed without prejudice. (MD JS–6, Case Terminated). (mrgo) (Entered: 05/16/2019)